

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Khan Funds Management America, Inc. *et al.*,

Plaintiffs,

-against-

Nations Technologies Inc. *et al.*,

Defendants.

Case No.: 1:22-CV-05055-ER

**WAIVER OF SERVICE AND BRIEFING SCHEDULE FOR CERTAIN STIPULATING  
DEFENDANTS**

**WHEREAS**, Khan Funds Management America, Inc. and Eric Dai (together “Plaintiffs”) filed a motion for alternative service (ECF No. 87) (the “Service Motion”) against Defendants Yingtong Sun, Baoxin Huang and Junee Yu (collectively “Stipulating Defendants” and together with Plaintiffs the “Parties”) on November 17, 2023;

**WHEREAS**, on December 12, 2023 (ECF No. 92) this Court directed the Stipulating Defendants to respond to the Service Motion by January 16, 2024;

**WHEREAS**, counsel for the Parties have reached an agreement that avoids motion practice and conserves juridical resources with respect to the Stipulating Defendants;

**IT IS HEREBY STIPULATED AND AGREED** by and between the Parties as follows:

1. The Stipulating Defendants will waive service of process, consistent with Rule 4(d) of the Federal Rules of Civil Procedure, effective as of the date (the “Service Effective Date”) counsel to Stipulating Defendants receive from counsel to Plaintiffs the documents Plaintiffs previously submitted to the Central Authority of the People’s Republic of China under the Hague Convention on Service of Process, including a verbatim Mandarin translation of the operative complaint as required by the Chinese Central Authority.
2. The Stipulating Defendants shall have 60 days from the Service Effective Date to answer or otherwise respond to the complaint.
3. In the event that any of the Stipulating Defendants elect to file a motion under Rule 12(b) of the Federal Rules of Civil Procedure, Plaintiffs shall have 45 days to file an opposition and a Stipulating Defendants shall have 21 days thereafter to file a reply.
4. Nothing in this Stipulation shall prejudice any Stipulating Defendant with respect to

any position, argument or related to personal jurisdiction or subject matter jurisdiction.

IT IS SO STIPULATED

Dated: January 16, 2023  
New York, New York

/s/ Minyao Wang  
Minyao Wang  
Lewis Brisbois Bisgaard & Smith LLP  
77 Water Street  
New York, NY 10005

*Counsel to Defendant Junee Yu*

/s/ Jason Liang  
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/s/ Akiva Shapiro  
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New York, NY 10166

*Counsel to Plaintiffs Khan Funds  
Management America, Inc. and Eric Dai*

**IT IS SO ORDERED** this 17<sup>th</sup> day of January 2024.



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U.S. District Judge  
Edgardo Ramos